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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/378,969	08/23/1999	ROBERT B. HAVEKOST	F0467/7006(W	9703

7590

01/02/2002

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EXAMINER

HARRISON, CHANTE E

ART UNIT

PAPER NUMBER

2672

DATE MAILED: 01/02/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

SM

Office Action Summary

Application No.

09/378,969

Applicant(s)

HAVEKOST ET AL.

Examiner

Chante Harrison

Art Unit

2672

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 09 October 2001.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

1. This action is responsive to communications: Request for Reconsideration, filed on 10/09/01.

This action is made FINAL.

2. Claims 1-24 are pending in the case. Claims 1, 9, 14, 17 and 23 are independent claims.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

Claims 1, 3-9, 11-19, 22-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Michael Baker et al., U.S. Patent 5,226,118, 7/1993, 345/440X.

As per independent claim 1, Baker discloses generating and displaying a trend chart having values of selected process parameters during a selected time window (abstract; col. 2, ll. 61 et seq.), generating and displaying an event table describing process events related to the process parameters during the selected time window (FIG. 6).

As per dependent claim 3, Baker discloses the chart is a line graph (FIG. 20 & 28).

As per dependent claims 4 and 11, Baker discloses saving the chart (col. 7, ll. 10 et seq.).

As per dependent claims 5 and 12, Baker discloses selecting data associated with configuration of a saved chart (col. 10-11, ll. 66 et seq.).

As per dependent claim 6, Baker discloses selecting an event marker and highlighting the event on the table associated with the selected marker (FIG. 20).

As per dependent claims 7 and 13, Baker discloses selecting an event displayed in the table and highlighting the associated event marker (FIG. 20).

As per dependent claim 8, Baker discloses displaying the event markers as event names (FIG. 6).

As per dependent claim 9, Baker discloses a controller (col. 4, ll. 40 et seq.), an I/O system (FIG. 1), and a computer (FIG. 1). The rejection as applied to independent claim 1 is included herein.

As per independent claim 14, Baker discloses one display area displaying a trend line representing a parameter associated with a process (FIG. 6; col. 5, ll. 20 et seq.), a second display area displaying process event data (FIG. 6) and an event marker related to a process event (col. 6, ll. 22 et seq.) and displayed in the first display area (FIG. 6).

As per dependent claim 15, Baker discloses the first area includes multiple trend graphs and a separate y-axis scale for each graph (FIG. 28).

As per dependent claim 16, Baker discloses data representing process events includes a time of occurrence (col. 2, ll. 60 et seq.).

As per independent claim 17, Baker discloses a database of event records (col. 7, ll. 20 et seq.), a trend database having historical data (col. 7, ll. 30 et seq.), simultaneously displaying historical trend data and event records related to the trend data (FIG. 4).

As per dependent claim 18, Baker discloses selecting a portion of the trend data and event records to display (col. 6, ll. 22 et seq.; col. 2, ll. 60 et seq.).

As per dependent claim 19, Baker discloses the portion displayed is a time interval...(col. 2, ll. 60 et seq.).

As per dependent claim 22, Baker discloses configuring the trend graph and a file containing configuration data and filter settings from previous trend graphs...(col. 8, ll. 47 et seq.; col. 10, ll. 66 et seq.).

As per independent claim 23, Baker discloses a system having components as claimed in the user interface of claim 14 and the system of claim 17. Therefore the rejection as applied to claims 14 and 17 are included herein.

As per dependent claim 24, Baker discloses event markers displayed in a first region (FIG. 4 '60') and linking a portion of the table of event records to a portion of the event markers (col. 7, ll. 5 et seq.).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2, 10 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Michael Baker et al., U.S. Patent 5,226,118, 7/1993, 345/440X.

As per dependent claims 2, 10 and 20, Baker discloses displaying event markers indicating the events (FIG. 4), but fails to disclose displaying their times. However it would have been obvious to one of skill in the art to use the disclosure of Baker because he teaches associating time with events so that users can re-scale trend data for viewing (col. 2, ll. 60 et seq.).

Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Michael Baker et al., U.S. Patent 5,226,118, 7/1993, 345/440X and further in view of Thomas Hanson, EP 0508386 A2, 10/1992.

As per dependent claim 21, Baker fails to disclose a run time database having current trend data and displaying the data, which is disclosed by Hanson (pg. 2, ll. 54 et

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seq.). It would have been obvious to combine the disclosures because Baker stores data on disk for selection, analysis and display and Hanson discloses the same being performed in real-time or stored in a database for future use (pg. 5-6, ll. 55 et seq.).

Response to Arguments

Applicant's arguments filed 10/09/01 have been fully considered but they are not persuasive.

With respect to arguments relating to independent claims 1 and 9, Baker discloses a table describing process events at FIG. 23. FIG. 23 is related to FIG. 6, which identifies the selected point in the trend chart at reference number "64" and displays the representative data as a map. FIG. 23 is relative in that it shows the display of multiple event data when multiple points are selected on a trend chart.

With respect to arguments relating to independent claim 14, Baker discloses maintaining an event database at col. 5, ll. 27-30, which references a data analysis or management program for analyzing measurement data. Col. 7, ll. 9-20, 25-35 and FIG. 7 "82" also discloses measurement data being stored in a database for quick retrieval when generating a trend chart.

With respect to arguments relating to independent claim 17, Baker discloses simultaneously displaying a trend graph and a portion of events data (FIG. 4 "50" & "64"). FIG. 4 represents the display of the trend chart "50" and identification of the selected data point "64".

The rejection is maintained.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Conclusion

Any inquiry concerning this communication or earlier communication from the examiner should be directed to Chante Harrison whose telephone number is (703) 305-3937.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Razavi, can be reached at (703) 305-4713.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.



**MATTHEW LUU
PRIMARY EXAMINER**